



**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.  
COTE/971/US

In Re Application Of: **Armand Cote**

Serial No.  
**09/140,049**

Filing Date  
**08/26/98**

Examiner  
**Glessner, B.**

Group Art Unit  
**3635**

Invention: **Breakaway Utility Pole**

**ASSISTANT COMMISSIONER FOR PATENTS**

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:

☐ is enclosed. ☒ was filed on March 2, 2001

The proposed reply is in the form of: Notice of Appeal with remarks

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**JUL 03 2001**

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on \_\_\_\_\_

**OFFICE OF PETITIONS**

3. ☒ A small entity declaration:

☐ is enclosed. ☒ was filed on \_\_\_\_\_

**07/03/2001 STEFFERA 00000002 09140049**

**01 FC:241**

**620.00 OP**

4. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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**Calculation and Payment of Fees**

Enclosed are the following fees:

7. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$620.00
8. ☐ Fee for amendment in the amount of: \_\_\_\_\_
9. ☐ Fee for extension of time to reply to Office Action in the amount of: \_\_\_\_\_
10. ☐ Issue fee in the amount of: \_\_\_\_\_
11. ☐ Continuing application filing fee in the amount of: \_\_\_\_\_
12. ☐ Terminal disclaimer fee in the amount of: \_\_\_\_\_
13. ☐ \_\_\_\_\_
- Total fees enclosed: \$620.00

The fee of **\$620** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-1582**  
A duplicate copy of this sheet is enclosed.

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**Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

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**JUL 03 2001**

**OFFICE OF PETITIONS**

*Signature*

**Brian M. Dingman 32,729**

Dated:

*June 27, 2001*

I certify that this document and fee is being deposited on *6/28/01* with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

**Joyce Murphy**

*Typed or Printed Name of Person Mailing Correspondence*

CC: